

**Notice of Allowability**

Application No.

10/046,509

Examiner

Duc Nguyen

Applicant(s)

OGINO ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 8/23/04.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ The drawings filed on 16 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**DUC NGUYEN**  
**PRIMARY EXAMINER**

***Allowable Subject Matter***

1. Claims 1-19 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

The prior art of record (Lopez et al, Drane et al, Zhodzisky, and Coleman) fails to teach an offset measuring apparatus which receives signals from a radio base station and which measures a transmitting time offset of the radio base station, the offset measuring apparatus comprising: offset estimating means which comprises a cellular receiver that receives, at a plurality of locations with known positions or known distances from the radio base station, signals transmitted from the radio base station; a measuring unit for received timing that measures a received timing of a signal transmitted from the radio base station with reference to base clocks; an offset calculating unit that calculates estimated values of the transmitting time offset of the radio base station from the measured received timing; and offset determining means for selecting a minimum of the estimated values of the transmitting time offset and for determining the selected minimum as a measured value of the transmitting time offset, wherein the transmitting time offset is a time difference between an official timing for sending out the signal and an actual timing when the signal is actually transmitted out from an antenna of the radio base station. These limitations, in combination with the remaining limitations of claims 1, 7, are not taught nor suggested by the prior art of record.

The prior art of record further fails to teach an offset measuring apparatus which receives signals from a radio base station and which measures a transmitting time offset of the radio base station, the offset measuring apparatus comprising offset estimating means which comprises a

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cellular receiver that receives, at a plurality of locations, signals transmitted from the radio base station; a measuring unit for received timing that measures a received timing of a signal transmitted from the radio base station with reference to base clocks; an offset calculating unit that calculates estimated values of the transmitting time offset of the radio base station from the measured received timing; and offset determining means for selecting a minimum of the estimated values of the transmitting time offset and for determining the selected minimum as a measured value of the transmitting time offset, wherein the offset measuring apparatus has a plurality of offset estimating means to receive the signals from the base station at a plurality of locations. These limitations, in combination with the remaining limitations of claims 3, 8, 13, are not taught nor suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is 703-308-7527. The examiner can normally be reached on 7:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Duc Nguyen  
Primary Examiner  
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12/08/04